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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Antje Breitenstein et al.  
Serial No: 10/554,238  
Filing Date: October 20, 2005  
Title: METHOD FOR THE DETECTION OF LEGIONELLA-TYPE BACTERIA

March 30, 2007 Attorney's Docket No.: PUG201T5

TRANSMITTAL LETTER

U. S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313

SIR:

Transmitted herewith for filing is:

- <X> RESPONSE TO THE NOTIFICATION OF DEFECTIVE RESPONSE (3 pages)
- <X> AMENDMENT (4 pages)
- <X> WRITTEN COPY OF SEQUENCE LISTING (2 pages)
- <X> COMPUTER READABLE FORM (CRF) OF SEQUENCE LISTING (1 floppy disc)

(X) The applicant hereby petitions the Commissioner of Patents and Trademarks to extend the time for response to any Office Action outstanding in the above captioned matter as necessary to avoid abandonment of the application. Please charge my deposit account No.11-0224 in the amount required to cover the cost of the extension. Any deficiency or overpayment should be charged or credited to the above account.

(X) The Commissioner is hereby authorized to charge any fees under 37 CFR 1.16, and 1.17, after a mailing of a Notice of Allowance under 37 CFR 18 or any additional fees which may be required during the entire pendency of the application, or credit any overpayment, to Acct. No.11-0224. A duplicate copy of this sheet is enclosed. If and only if account funds should be insufficient, immediately contact our associate, Lisa Zumwalt, at (703)415-0579, who will pay immediately to avoid deprivation of rights.

( ) Please charge my Deposit Account No.11-0224 in the amount of \$\_\_\_\_\_. A duplicate copy of this sheet is enclosed. A signature or signatures required for the above recited document(s) is (are) provided herebelow. Such signature(s) also provide(s) ratification for any required signature appearing to be defective in the above recited document(s).

*Horst M. Kasper*  
Horst M. Kasper, 13 Forest Drive, Warren, N.J.07059  
Reg. No. 28,559 Tel.(908)526-1717

**CERTIFICATE OF MAILING under 37 CFR 1.8:**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Trademarks, P.O. box 1450, Alexandria, VA 22313.

, on APR 02 2007  
Signature: *[Signature]* Date: APR 02 2007  
%PUG201(March 30, 2007)am



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BACTERIA

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**RESPONSE TO NOTIFICATION OF DEFECTIVE RESPONSE**

Hon. Commissioner for Patents  
**Box: Initial Patent Examination Division**  
**Customer Service Center**  
Washington, D.C. 20231

SIR:

This is in response to a Notification of Defective Response, mailed on March 5, 2007, and setting a statutory period for response of one month, said period expiring on April 5, 2007.

The Notification states that the Applicant's response filed 02/21/2007 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 10/16/2006 have not been completed.

- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register


at 65 FR 54604. (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment specifically directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825 (d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821 (e) may be submitted in lieu of a new CRF.

- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 CFR 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

Applicants enclose herewith a substitute written and computer readable form (CRF) copy of the "Sequence Listing". The statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing is included in the accompanied Amendment.

Entry of the submitted document is respectfully requested.

Respectfully submitted,  
Antje Breitenstein et al.

By:   
Horst M. Kasper, their attorney  
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Tel.:(908)757-2839 Fax:(908)668-5262  
Reg.No. 28,559 Docket No.: PUG201

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